

EXHIBIT C

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF MISSOURI

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5 MAXUS REALTY TRUST, INC.,)
6 Plaintiff,)
7 vs.) Case No. 06-0750-CV-W-ODS
8 RSUI INDEMNITY COMPANY)
9 Defendant.)

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12 DEPOSITION OF

13 MICHAEL P. McROBERT

14 TAKEN ON BEHALF OF THE DEFENDANT

15 JULY 31, 2007

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1 So I'm correct and so we're clear, it was
2 received on or after December 16th, 2005?

3 A. I would assume based on the date of the letter
4 that we received it at sometime reasonably
5 subsequent to December 16th.

6 Q. Did you personally read this document when it was
7 received?

8 A. I -- at some point I would have reviewed the
9 letter and the summary.

10 Q. When you received the letter did it become
11 apparent to you that they did not quantify the
12 damage sustained to the first floor of the
13 building?

14 A. Yes.

15 Q. Did it become apparent to you at that time that
16 they did not quantify the damage sustained to the
17 first floor of the buildings?

18 A. Isn't that the question you just asked?

19 MS. MURPHY: Could you read that back.

20 MR. ABRAMS: You said the same question.

21 MS. MURPHY: I'm good like that.

22 MR. ABRAMS: Well, just answer it again.

23 MS. MURPHY: I figure persistence
24 overcomes any resistance.

25 A. Yes.

1 was done early in the process and in the same
2 submission the Burns & Mc report states that there
3 was wind damage to the first floor.

4 Q. (By Ms. Murphy) All right, but my question dealt
5 just with Mr. Chadwell, that based upon this
6 letter it appears that he did not consider the
7 first floor arguably because it was related to
8 flood?

9 A. No. I believe that he stated that in his letter
10 stating -- I think he believed there was first
11 floor wind damage and he was just stating that he
12 did not consider it because that's what he was
13 directed to do by counsel.

14 Q. At any time on or after receipt of this letter had
15 you asked Mr. Chadwell to correct this report?

16 A. No.

17 Q. Had you asked Mr. Chadwell to clarify this report?

18 A. No.

19 Q. Did you take any action with Mr. Chadwell in
20 connection with this report to express your
21 opinion?

22 A. No.

23 Q. Had you ever told Mr. Chadwell that you disagreed
24 with his conclusions?

25 MR. ABRAMS: Objection, that